

In the claims

1-10. (Cancelled)

11. (currently amended) A communication system comprising:

a user station capable of communicating with a base station over a limited capacity link, the link comprising a number of fixed bit rate channels for providing a fixed bandwidth voice service between said user station and said base station; and a variable bit rate data channel ~~comprised of said number of fixed bit rate channels;~~ and

a capacity management module for monitoring available bandwidth of said link number of fixed bandwidth channels, wherein, if available bandwidth falls below a predetermined threshold, the capacity management module is arranged to implement a reduced bit rate coding scheme for the variable bit rate data channel.

12. (previously presented) A communications system according to claim 11, wherein the capacity management module implements the reduced bit rate coding scheme for the variable bit rate data channel in a progressive manner dependent on available bandwidth.

13. (currently amended) A communications system according to claim 12, wherein the ~~system has two~~ fixed bit rate channels each have having a bit rate of 32kb/s, and the bit rate coding scheme for the data channel comprises a bit rate up to one of 64kb/s, 32kb/s 16kb/s and 8kb/s.

14. (currently amended) A communications system according to claim 11, wherein the capacity management module is arranged to monitor fixed bandwidth transmissions on said number of fixed bit rate channels and, on detection of a data tone in a fixed bandwidth transmission, to switch said number of fixed bit rate channels to a variable bit rate data channel having a maximum bit rate dependent on

what portion of said link ~~number of fixed bit rate channels~~ is allocated to comprise said variable data rate channel.

15. (previously presented) A communications system according to claim 14, wherein the capacity management module is arranged to select a bit rate coding scheme for the variable bit rate data channel on detection of a data tone in a fixed bandwidth transmission and to communicate said selected coding scheme to the base station.

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16. (currently amended) A communications system according to claim 14, wherein the capacity management module is arranged, prior to selecting a coding scheme for the variable bit rate channel, to check available bandwidth of said link ~~number of fixed bit rate channels~~ and, if there is not sufficient available bandwidth to provide a variable bit rate channel having a highest permissible data rate, then the capacity management module selects a bit rate coding scheme for the data channel that is the highest permissible data rate determined from current available bandwidth on said link ~~number of fixed rate channels~~.

17. (previously presented) A communications system according to claim 11, wherein the capacity management module is arranged to effect the same bit rate coding scheme for the variable bit rate channel in both an uplink direction and a downlink direction.

18. (previously presented) A communications system according to claim 11, wherein the number of fixed bit rate channels are voice band channels.

19. (previously presented) A communications system according to claim 11, wherein said system is a fixed wireless access system (FWA).

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D1 } 20. (currently amended) A method of operating a communications system in which a user station communicates with a base station over a limited capacity link, said method comprising the steps of:

providing a number of fixed bit rate channels between said user station and base stations to provide a fixed bandwidth voice service therebetween;

~~providing, in response to detection of a data tone in a fixed bandwidth transmission carried on said number of fixed bit rate channels, a variable bit rate data channel comprised of said number of fixed rate channels; and~~

providing a capacity management module for monitoring available bandwidth of said link ~~number of fixed bit rate channels~~, wherein, if available bandwidth falls below a predetermined threshold, the capacity management module implements a reduced bit rate coding scheme for said variable bit rate data channel.

21. (previously presented) A method according to claim 20, wherein the capacity management module implements the reduced bit rate coding scheme for the variable bit rate data channel in a progressive manner dependent on available bandwidth.

22. (currently amended) A method according to claim 21, wherein it includes the step of monitoring fixed bandwidth transmissions on said number of fixed bit rate channels and, on detection of a data tone in a fixed bandwidth transmission, switching said number of fixed bit rate channels to a variable bit rate data channel having a maximum bit rate dependent on what portion of said link ~~number of fixed bit rate channels~~ is allocated to comprise said variable data rate channel.

23. (previously presented) A method according to claim 22, wherein it includes the step of selecting a bit rate coding scheme for the variable bit rate data channel on detection of a data tone in a fixed bandwidth transmission and communicating said selected coding scheme to the base station.

24. (currently amended) A method according to claim 22, wherein it includes, prior to selecting a coding scheme for the variable bit rate channel, the step of checking available bandwidth of said link ~~number of fixed bit rate channels~~ and, if there is not sufficient available bandwidth to provide a variable bit rate channel having a highest permissible data rate, then selecting a bit rate coding scheme for the data channel that is the highest permissible data rate determined from current available bandwidth on said link ~~number of fixed rate channels~~.

25. (previously presented) A method according to claim 20, wherein the same bit rate coding scheme is effected for the variable bit rate channel in both an uplink direction and a downlink direction.

26. (previously presented) A method according to claim 20, wherein the method comprises operating a fixed wireless access (FWA) communications system.